



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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April 27, 2011

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTL *JFK*
Senior Assistant County Counsel

RE: **Teresita Ricardo v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 419 388

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Teresita Ricardo v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 419 388, in the amount of \$200,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from personal injuries sustained in a pedestrian versus bus collision.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Teresita Ricardo v. County of Los Angeles, et al.
CASE NUMBER	BC419388
COURT	Los Angeles County Superior Court Central District
DATE FILED	August 6, 2009
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 200,000.00
ATTORNEY FOR PLAINTIFF	Levin & Hoffman, LLP
COUNTY COUNSEL ATTORNEY	Vicki Kozikoujekian Principal Deputy County Counsel (213) 974-8208
NATURE OF CASE	<p>On December 12, 2008, a Sheriff's Deputy, while in the course and scope of his employment, was driving a Sheriff's Transportation Services Bureau bus when it collided with Plaintiff, a pedestrian, while he was making a left turn from First Street onto Spring Street.</p> <p>Plaintiff claims that the Sheriff's Deputy negligently made a left turn at the intersection, without yielding the right-of-way. The County claims that the Sheriff's Deputy was following an MTA bus which made the same left turn. Moreover, Plaintiff should have</p>

seen the MTA bus and the Sheriff's bus. But for Plaintiff being inattentive, the incident could have been avoided.

Due to the risks and uncertainties of litigation, the Sheriff's Department proposes a full and final settlement of the case in the amount of \$200,000.

PAID ATTORNEY FEES, TO DATE	\$	52,462.57
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PAID COSTS, TO DATE	\$	9,305.08
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Case Name: Teresita Ricardo v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Friday, December 12, 2008; 6:25 a.m.
Briefly provide a description of the incident/event:	<p><u>Teresita Ricardo v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2011-005</p> <p>On Friday, December 12, 2008, at approximately 6:25 a.m., a Los Angeles County deputy sheriff was driving a County of Los Angeles-owned transportation bus east on First Street, west of Spring Street, Los Angeles. As the deputy sheriff turned north onto Spring Street, the bus he was driving struck a pedestrian walking east in the marked, east-west crosswalk.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit

A public entity is responsible for the negligent acts of its employees when the acts are committed in the course and scope of employment.

This traffic collision was investigated by representatives from the Los Angeles Police Department. Their investigation concluded that the deputy sheriff caused the traffic collision by violating California Vehicle Code section 21950(a), Right-of-Way at Crosswalks.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

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County of Los Angeles
Summary Corrective Action Plan

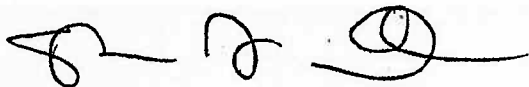
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- ☒ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator)

Shaun J. Mathers, Captain
Risk Management Bureau

Signature:



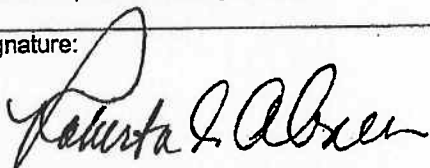
Date:

3/14/11

Name: (Department Head)

Roberta A. Abner, Chief
Leadership and Training Division

Signature:



Date:

3/15/11

Chief Executive Office Risk Management Branch

Name:

LEO COSTANTINO

Signature:



Date:

3/31/2011

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